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EPA Region 5 Records Ctr.



256398

October 11, 2004

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

U.S. Environmental Protection Agency – Region 5
Att: Craig Melodia
Associate Regional Counsel
U.S. Environmental Protection Agency
Office of Regional Counsel (C-14J)
77 W. Jackson
Chicago, IL 60604

Re: United States Steel Corporation's Response to 104(e) Information
Request - Solvay Coke & Gas, Milwaukee, Wisconsin

Dear Mr. Melodia:

I am responding to the "Information Request" dated August 26, 2004, concerning the subject site, which was received by United States Steel Corporation, herein referred to as "USS" on August 30, 2004.

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas.

In addition, USS has a seven-year document retention and destruction policy. See Attachment I for USS Accounting retention policy and Attachment II for USS's Environmental retention policy.

Further, pursuant to an October 6th, 2004 letter, the EPA FOIA Specialist, Helen Mays, requested an extension of time to respond to USS's FOIA Request, dated August 30, 2004. *[See attached letter from Helen Mays dated October 6, 2004]*. Therefore, as of the date of this letter, USS has an outstanding FOIA Request.

USS responds to the questions as follows:

1. Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any materials, including hazardous substances, at the Site? If the answer to the preceding question is anything but an unqualified "no", identify:
 - a) the chemical composition, characteristics, physical state (e.g., solid, liquid) of each material;
 - b) who supplied you with such material;
 - c) how such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
 - d) when such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
 - e) where such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
 - f) the quantity of such materials used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you.

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

Further, pursuant to an October 6th, 2004 letter, the EPA FOIA Specialist Helen Mays, requested an extension of time to respond to USS's FOIA Request, dated August 30, 2004. Therefore, as of the date of this response, USS has an outstanding FOIA Request.

2. State the dates during which you owned, operated, or leased the Site and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g., deeds, leases, etc.).

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

Further, pursuant to an October 6th, 2004 letter, the EPA FOIA Specialist Helen Mays, requested an extension of time to respond to USS's FOIA Request, dated August 30, 2004. Therefore, as of the date of this response, USS has an outstanding FOIA Request.

3. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal, or other handling of hazardous substances by you, your contractors, lessors, or by prior owners or operators at the Site.

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

Further, pursuant to an October 6th, 2004 letter, the EPA FOIA Specialist Helen Mays, requested an extension of time to respond to USS's FOIA Request, dated August 30, 2004. Therefore, as of the date of this response, USS has an outstanding FOIA Request.

4. Identify the prior owners of the Site. For each prior owner, further identify:
 - a) the dates of ownership;
 - b) all evidence showing that they controlled access to the Site; and,
 - c) all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Site during the period that they owned the Site.

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

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5. Identify the prior operators, including lessors, of the Site.

For each operator, further identify:

- a) the dates of operation;
- b) the nature of prior operations at the Site;
- c) all evidence that they controlled access to the Site;
- d) all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Site and/or its solid waste units during the period that they were operating the Site.

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

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6. Have you or any other person working with you or on your behalf ever accepted waste materials, including hazardous substances, for transportation to the Site from any person? If the answer to this question is anything but an unequivocal "no", identify:

- a) The persons from whom you or such other persons accepted waste materials for transport to the Site;
- b) Every date on which waste materials were so accepted or transported;
- c) For each transaction, the nature of the waste materials accepted or transported, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the material was used or the process which generated the material;
- d) For each material, describe any warnings given to you with respect to its handling;
- e) The owner of the materials so accepted or transported;

- f) The quantity of the material involved (weight or volume) in each transaction and the total quantity for all transactions;

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

Further, pursuant to an October 6th, 2004 letter, the EPA FOIA Specialist Helen Mays, requested an extension of time to respond to USS's FOIA Request, dated August 30, 2004. Therefore, as of the date of this response, USS has an outstanding FOIA Request.

- 7. Identify all persons, including yourself, who may have arranged for disposal or treatment or arrangement for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site. In addition, identify the following:
 - a) The persons with whom you or such other persons made such arrangements;
 - b) Every date on which such arrangements took place;
 - c) For each transaction, the nature of the waste material or hazardous substance; including the chemical content, characteristics, physical state (e.g., solid, liquid) and the process for which the substance was used or the process which generated the substance;
 - d) The owner of the waste materials or hazardous substances so accepted or transported;
 - e) The quantity of the waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;
 - f) The person(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;
 - g) Where the person identified in f) above intended to have such hazardous substances or waste materials transported and all evidence of this intent;

- h) What was actually done to the waste materials or hazardous substances once they were brought to the Site;
- i) The final disposition of each of the waste materials or hazardous substances involved in such transactions;
- j) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the waste material and hazardous substances involved in each transaction;
- k) The type and number of containers in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers;
- l) The price paid for (i) transport or (ii) disposal of (iii) or both, of each waste material and hazardous substance;
- m) All documents containing information responsive to a) – 1) above, or in lieu of identification of all relevant documents, provide copies of all such document;
- n) All persons with knowledge, information, or documents responsive to a) – l) above.

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

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8. Identify the acts or omissions of any person, other than your employees, contractors, or agents that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants, and damages resulting therefrom.

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay

Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

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9. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Requests or who may be able to provide additional responsive documents, identify such persons.

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

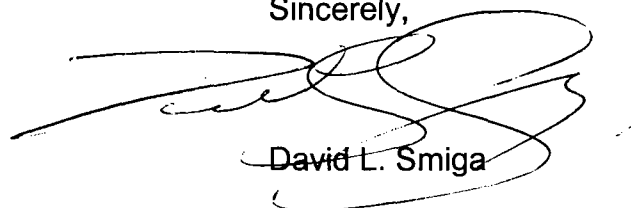
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10. Provide copies of all local, state and federal environmental permits ever granted for the Facility or any part thereof (e.g., RCRA permits, NPDES permits, etc.).

USS reviewed documents from Accounts Payable, Purchasing, Law & Environmental Affairs archives, Real Estate, Public Affairs and Accounting and was unable to locate any documents and/or records regarding Solvay Coke & Gas. USS has no documents in its possession or control regarding involvement with the Site.

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Sincerely,



David L. Smiga